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PATENT
0505-80011

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L. Lewis
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John NAFEH et al.

Art Unit:

Filed: August 6, 2001

Examiner:

Serial No.: 09/923,035

Publication No.: US 2002/0069155

Publication Date: June 6, 2002

Title: METHODS AND APPARATUS FOR FORMULATION, INITIAL PUBLIC OR
PRIVATE OFFERING, AND SECONDARY MARKET TRADING OF RISK
MANAGEMENT CONTRACTS

CERTIFICATE OF MAILING

I hereby certify that the following attached paper(s) and/or fee

1. Third Party Submission under 37 CFR 1.99
2. Form PTO 1449
3. Copies of three (3) references
4. Check for \$180.00
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are being deposited with the United States Postal Service with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated below in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date: July 31, 2002

Brenda Pomerance
Brenda Pomerance

CORRESPONDENCE ADDRESS:

Brenda Pomerance
Law Office of Brenda Pomerance
260 West 52 St. Ste. 27B
New York, NY 10019
212 245-3940



COPY OF PAPERS
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PATENT
0505-8001

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John NAFEH et al.

Art Unit:

Filed: August 6, 2001

Examiner:

Serial No.: 09/923,035

Publication No.: US 2002/0069155

Publication Date: June 6, 2002

Title: METHODS AND APPARATUS FOR FORMULATION, INITIAL PUBLIC OR
PRIVATE OFFERING, AND SECONDARY MARKET TRADING OF RISK
MANAGEMENT CONTRACTS

THIRD PARTY SUBMISSION UNDER 37 C.F.R. 1.99

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This Third Party Submission is filed in accordance with 37 C.F.R. § 1.99, by a member of the public, Exchange Lab, Inc., represented by the undersigned attorney.

The items listed on Form PTO 1449, copies of which are enclosed, are submitted to assist the Patent Office in its examination of this application. All items are in the English language.

I certify that a copy of this Submission and references has been served upon the applicant, via its attorney, Sidley Austin Brown & Wood, in compliance with 37 C.F.R. 1.248(b).

A check for the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,

Date: July 31, 2002

Law Office of Brenda Pomerance
260 West 52 St. Ste. 27B
New York, NY 10019
voice/fax 212 245-3940
bpomerance@telocity.com

Brenda Pomerance
Brenda Pomerance
Reg. No. 36,894

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Substitute Form PTO 1449

| | | |
|---|------------------|----------------|
| INFORMATION DISCLOSURE STATEMENT | Application No. | 09/923,035 |
| | Filing Date | August 6, 2001 |
| | Inventor | Nafeh et al. |
| | Group Art Unit | |
| | Examiner | |
| Sheet 1 of 1 | Atty. Docket No. | 0505-8001 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|----------|----------------------|-----------|------------------|--------------------------------|------------------------|
| Examiner Initials | Cite No. | U.S. Patent Document | | Name of Patentee | Publication Date MM-DD-YYYY | Relevant text or Figs. |
| | | Number | Kind Code | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|----------|--------------------------|--------|-----------|---------------------------------|--------------------------------|------------------------|--------------|
| Examiner Initials | Cite No. | Foreign Patent Documents | | | Name of Patentee or Assignee | Publication Date MM-DD-YYYY | Relevant text or Figs. | Trsl. (✓) |
| | | Office | Number | Kind Code | | | | |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | |
|---|----------|--|--------------|
| Examiner Initials | Cite No. | AUTHOR, title, magazine, date, pages, publisher, city where published | Trsl. (✓) |
| MAJ | CA | Presentation: OPEX -- the open exchange, Business Case and Proposal, January 4, 1999 | |
| ↓ | CB | Executive Brief, XnO Software, May 1999 | |
| | CC | Business Plan, Open Exchange, Inc., September 2000 | |
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| Examiner Signature | | Date Considered | 1/03/06 |
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PATENT
1600-8001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John NAFEH et al.

Art Unit:

Filed: August 6, 2001

Examiner:

Serial No.: 09/923,035

Publication No.: US 2002/0069155

Publication Date: June 6, 2002

Title: METHODS AND APPARATUS FOR FORMULATION, INITIAL PUBLIC OR
PRIVATE OFFERING, AND SECONDARY MARKET TRADING OF RISK
MANAGEMENT CONTRACTS

THIRD PARTY SUBMISSION UNDER 37 C.F.R. 1.99

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

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This Third Party Submission is filed in accordance with 37 C.F.R. § 1.99, by a member of the public, Sean McNamara, represented by the undersigned attorney.

The items listed on Form PTO 1449, copies of which are enclosed, are submitted to assist the Patent Office in its examination of this application. All items are in the English language.

I certify that a copy of this Submission and references has been served upon the applicant, via its attorney, Sidley Austin Brown & Wood, in compliance with 37 C.F.R. 1.248(b).

A check for the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

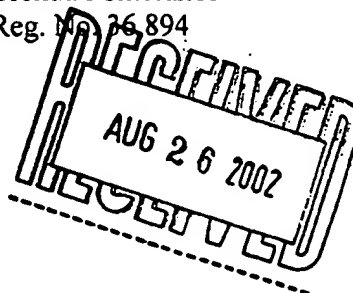
Respectfully submitted,

Date: August 1, 2002

Law Office of Brenda Pomerance
260 West 52 St. Ste. 27B
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voice/fax 212 245-3940
bpomerance@telocity.com

Brenda Pomerance

Brenda Pomerance
Reg. No. 26,894



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PATENT
1600-8001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John NAFEH et al. Art Unit:
Filed: August 6, 2001 Examiner:
Serial No.: 09/923,035
Publication No.: US 2002/0069155 Publication Date: June 6, 2002

Title: METHODS AND APPARATUS FOR FORMULATION, INITIAL PUBLIC OR
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Date: August 1, 2002

Brenda Pomerance
Brenda Pomerance

CORRESPONDENCE ADDRESS:

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260 West 52 St. Ste. 27B
New York, NY 10019
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Substitute Form PTO 1449

| | | |
|---|-----------------|----------------------------|
| INFORMATION DISCLOSURE STATEMENT | Application No. | 09/923,035 |
| | Filing Date | August 6, 2001 |
| | Inventor | Nafeh et al. |
| | Group Art Unit | |
| | Examiner | |
| Sheet 1 of 1 | | Atty. Docket No. 1600-8001 |

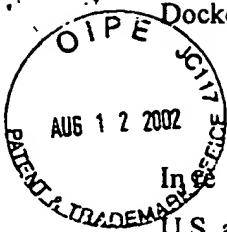
| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-------------|----------------------|-----------|------------------|--------------------------------|---------------------------|
| Examiner Initials | Cite No. | U.S. Patent Document | | Name of Patentee | Publication Date MM-DD-YYYY | Relevant text or Figs. |
| | | Number | Kind Code | | | |
| | AA | | | | | |
| | AB | | | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-------------|--------------------------|--------|-----------|---------------------------------|--------------------------------|---------------------------|--------------|
| Examiner Initials | Cite No. | Foreign Patent Documents | | | Name of Patentee or Assignee | Publication Date MM-DD-YYYY | Relevant text or Figs. | Trsl. (✓) |
| | | Office | Number | Kind Code | | | | |
| | BA | | | | | | | |
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| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|-------------|--|--------------|
| Examiner Initials | Cite No. | AUTHOR, title, magazine, date, pages, publisher, city where published | Trsl. (✓) |
| DMZ | CA | Global Sports Exchange Functional Specification, April 30, 1999 | |
| ↓ | CB | email to Sean McNamara, "Terms Sheet for Pareto Partners", and Biographies, May 13, 1999 | |
| | CC | www.intrade.com, 3 pages, July 30, 2002 | |
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| Examiner Signature | | Date Considered | 1/03/01 |
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GROUP 3300



Docket No. 17066/00103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. application: John NAFEH and Kenton K. YEE
For: METHODS AND APPARATUS FOR FORMULATION,
INITIAL PUBLIC OR PRIVATE OFFERING, AND
SECONDARY MARKET TRADING OF RISK MANAGEMENT
CONTRACTS

U.S. Serial No.: 09/923,035
Confirmation No.: 8962
Filed: August 6, 2001
Group Art Unit: 3628
Examiner: Clement B. Graham

Assistant Commissioner For Patents
Washington, D.C. 20231

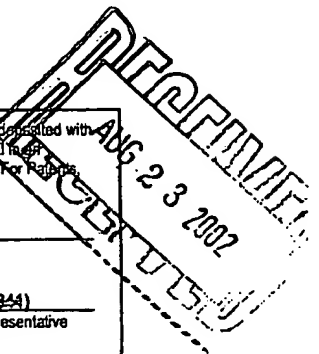
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a registered envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on:

August 6, 2002
Date of Deposit

Thomas N. Tamay (Reg. No. 41,344)
Name of Applicant, Assignee, or Registered Representative

Signature

August 6, 2002
Date of Signature



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GROUP 3600

Dear Sir:

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants wish to bring the following items to the attention of the Examiner. A copy of each item is enclosed for the convenience of the Examiner.

- (1) Presentation: OPEX – the open exchange, Business Case and Proposal, January 4, 1999;
- (2) Executive Brief, XnO Software, May 1999; and
- (3) Business Plan, Open Exchange, Inc., September 2000.

The above-referenced items have been provided to Applicants in the form of a copy of a Third Party Submission Under 37 C.F.R. § 1.99 which was supposedly mailed to the U.S. Patent and Trademark Office by the third party on July 31, 2002. A copy of the Third Party Submission Under 37 C.F.R. § 1.99 is provided for reference. However, to be certain that this material is made known to the Examiner, and to comply with Applicants' duty of disclosure, Applicants' submit this Supplemental Information Disclosure Statement and accompanying PTO Form-1449.

No representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of these materials in any way reflects their relative pertinence. The references cited are not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that the items listed above are properly citable against the above-identified application.

As this Supplemental Information Disclosure Statement is being filed before receipt of the first office action, Applicant believes that no fee is incurred. If a fee is required, please charge any fee (except the issue fee) required during the pendency of this application to SIDLEY AUSTIN BROWN & WOOD LLP's Deposit Account No. 18-1260. Please credit any overpayment to Deposit Account No. 18-1260.

Respectfully submitted,

By: _____



Thomas N. Tarnay
Registration No. 41,341
Attorney for Applicants

TNT/fis
SIDLEY AUSTIN BROWN & WOOD LLP
717 North Harwood, Suite 3400
Dallas, Texas 75201-6507
(214) 981-3388 (direct)
(214) 981-3300 (main)
(214) 981-3400 (facsimile)
August 6, 2002



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Complete if Known

SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

| | |
|---------------------|-------------------|
| Application Number | 09/923,035 |
| Confirmation No.: | 8962 |
| Filing Date | August 6, 2001 |
| First Inventor | John NAFEH et al. |
| Group Art Unit | 3628 |
| Examiner Name | Clement B. Graham |
| Attorney Docket No. | 17066/00103 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite # | DOCUMENT NUMBER | C O D E | PATENTEE | ISSUE DATE (mm/dd/yy) | CLASS | SUB CLASS | Filing Date if Appropriate |
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FOREIGN PATENT DOCUMENTS

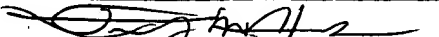
| Examiner Initials | O F F I C E | NUMBER | C O D E | PUBLICATION DATE (mm/dd/yy) | TRANSLATION Yes No |
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | | |
|-----------------------|--|--------------------|---------|
| AMH | Presentation: OPEX – the open exchange, Business Case and Proposal, January 4, 1999 (41 pages) | | |
| ↓ | Executive Brief, XnO Software, May 1999 (1 page) | | |
| ↓ | Business Plan, Open Exchange, Inc., September 2000 (pp. 1-15) | | |
| | | | |
| Examiner Signature |  | Date Considered | 1/03/06 |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.



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PATENT
0505-8001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John NAFEH et al. Art Unit:
Filed: August 6, 2001 Examiner:
Serial No.: 09/923,035
Publication No.: US 2002/0069155 Publication Date: June 6, 2002

Title: METHODS AND APPARATUS FOR FORMULATION, INITIAL PUBLIC OR
PRIVATE OFFERING, AND SECONDARY MARKET TRADING OF RISK
MANAGEMENT CONTRACTS

THIRD PARTY SUBMISSION UNDER 37 C.F.R. 1.99

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This Third Party Submission is filed in accordance with 37 C.F.R. § 1.99, by a member of the public, Exchange Lab, Inc., represented by the undersigned attorney.

The items listed on Form PTO 1449, copies of which are enclosed, are submitted to assist the Patent Office in its examination of this application. All items are in the English language.

I certify that a copy of this Submission and references has been served upon the applicant, via its attorney, Sidley Austin Brown & Wood, in compliance with 37 C.F.R. 1.248(b).

A check for the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,

Date: July 31, 2002

Law Office of Brenda Pomerance
260 West 52 St. Ste. 27B
New York, NY 10019
voice/fax 212 245-3940
bpomerance@telocity.com

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| INFORMATION DISCLOSURE STATEMENT | Application No. | 09/923,035 |
| | Filing Date | August 6, 2001 |
| | Inventor | Nafeh et al. |
| | Group Art Unit | |
| | Examiner | |
| Sheet 1 of 1 | Atty. Docket No. | 0505-8001 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-------------|----------------------|-----------|------------------|--------------------------------|---------------------------|
| Examiner Initials | Cite No. | U.S. Patent Document | | Name of Patentee | Publication Date MM-DD-YYYY | Relevant text or Figs. |
| | | Number | Kind Code | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
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| Examiner Initials | Cite No. | Foreign Patent Documents | | | Name of Patentee or Assignee | Publication Date MM-DD-YYYY | Relevant text or Figs. | Trsl. (✓) |
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| OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS | | | |
|---|-------------|--|--------------|
| Examiner Initials | Cite No. | AUTHOR, title, magazine, date, pages, publisher, city where published | Trsl. (✓) |
| <i>ma</i> | CA | Presentation: OPEX -- the open exchange, Business Case and Proposal, January 4, 1999 | |
| <i>↓</i> | CB | Executive Brief, XnO Software, May 1999 | |
| | CC | Business Plan, Open Exchange, Inc., September 2000 | |
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| Examiner Signature | <i>[Signature]</i> | Date Considered | 1/03/06 |
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

| | |
|---------------------|-------------------|
| Application Number | 09/923,035 |
| Filing Date | August 6, 2001 |
| First Inventor | John NAFEH et al. |
| Group Art Unit | 2164 |
| Examiner Name | To Be Assigned |
| Attorney Docket No. | 17066/00103 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials | Cite # | DOCUMENT NUMBER | C O D E | PATENTEE | ISSUE DATE (mm/dd/yy) | CLASS | SUB CLASS | Filing Date if Appropriate |
|-------------------|--------|-----------------|---------|-------------------|-----------------------|-------|-----------|----------------------------|
| DMJ | (1) | 4,232,367 | | Youden et al. | 11/04/80 | 364 | 408 | |
| | (2) | 4,633,397 | | Macco | 12/30/86 | 364 | 406 | |
| | (3) | 4,742,457 | | Leon et al. | 05/03/88 | 364 | 408 | |
| | (4) | 4,752,877 | | Roberts et al. | 06/21/88 | 364 | 408 | |
| | (5) | 4,766,539 | | Fox | 08/23/88 | 364 | 401 | |
| | (6) | 4,839,804 | | Roberts et al. | 06/13/89 | 364 | 408 | |
| | (7) | 4,876,648 | | Lloyd | 10/24/89 | 364 | 408 | |
| | (8) | 5,083,270 | | Gross et al. | 01/21/92 | 364 | 408 | |
| | (9) | 5,101,353 | | Lupien et al. | 03/31/92 | 364 | 408 | |
| | (10) | 5,136,501 | | Silverman et al. | 08/04/92 | 364 | 408 | |
| | (11) | 5,206,803 | | Vitagliano et al. | 04/27/93 | 364 | 408 | |
| | (12) | 5,970,479 | | Shepherd | 10/19/99 | 705 | 37 | |
| | (13) | 6,134,536 | | Shepherd | 10/17/00 | 705 | 37 | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | | O F F I C E | NUMBER | C O D E | PUBLICATION DATE (mm/dd/yy) | TRANSLATION Yes No |
|-------------------|--|-------------|--------|---------|-----------------------------|--------------------|
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |
|--------------------|------|--|
| DMJ | (14) | The Iowa Electronics Markets, web site: www.biz.uiowa.edu/iem , printed on November 8, 2001, and comprising 243 pages |
| | | |
| | | |
| Examiner Signature | | Date Considered 1/03/06 |

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